

**A RESOLUTION
BY FINANCE/ EXECUTIVE COMMITTEE**

11- *R* -0906

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SWISSPORT CARGO SERVICES, L.P. IN AN AMOUNT NOT TO EXCEED TWENTY ONE THOUSAND, FIVE HUNDRED NINETY FOUR DOLLARS AND SEVENTEEN CENTS (\$21,594.17) FOR BUSINESS LICENSE FEES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION ACCOUNT NUMBER 1001 (GENERAL FUND) 200301 (NDP UNALLOCATED-CITYWIDE EMPLOYEE EXPENSES) 5730012 (ACCOUNT REFUNDS) 154000 (FUNCTION ACTIVITY HUMAN RESOURCES); AND FOR OTHER PURPOSES.

WHEREAS, Swissport Cargo Services, L.P., located at 4200 South Cargo Drive, Atlanta, Georgia, 30320 ("Swissport Cargo Services, L.P.") is located in Clayton County; and

WHEREAS, Swissport Cargo Services, L.P. erroneously registered with the City of Atlanta Business Tax Division; and

WHEREAS, Swissport Cargo Services, L.P. has requested a refund in the amount of Twenty One Thousand, Five Hundred Ninety Four Dollars and Seventeen Cents (\$21,594.17); and

WHEREAS, Swissport Cargo Services, L.P. has submitted supporting documents to the Office of Revenue to substantiate its claim; and

WHEREAS, the Office of Revenue investigated the claim and has determined that Swissport Cargo Services, L.P. is entitled to a refund in an amount not to exceed Twenty One Thousand, Five Hundred Ninety Four Dollars and Seventeen Cents (\$21,594.17).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Chief Financial Officer is hereby directed to issue a refund to Swissport Cargo Services, L.P. in an amount not to exceed Twenty One Thousand, Five Hundred Ninety Four Dollars and Seventeen Cents (\$21,594.17) for business license fees paid in error to the City of Atlanta from tax years 2008 through 2010.

BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from Fund Department Organization Account number 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources).

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SWISSPORT CARGO SERVICES, L.P. IN AN AMOUNT NOT TO EXCEED TWENTY ONE THOUSAND, FIVE HUNDRED NINETY FOUR DOLLARS AND SEVENTEEN CENTS (\$21,594.17) FOR BUSINESS LICENSE FEES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION ACCOUNT NUMBER 1001 (GENERAL FUND) 200301 (NDP UNALLOCATED-CITYWIDE EMPLOYEE EXPENSES) 5730012 (ACCOUNT REFUNDS) 154000 (FUNCTION ACTIVITY HUMAN RESOURCES); AND FOR OTHER PURPOSES.

Council Meeting Date: June 15, 2011

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to refund overpayment of business license payments.

2. Please provide background information regarding this legislation.

Swissport Cargo Services located at 4200 South Cargo Drive ,Atlanta, Georgia 30320, for the tax years 2008 through 2010 erroneously reported gross receipts earned to the city of Atlanta for business tax calculation purposes unaware that their business is actually located in Clayton County, Georgia tax jurisdiction resulting in erroneous payments and a refund amount due of \$ 21,594.17.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center:

5. Source of Funds:

6. Fiscal Impact: The legislation will result in a reduction in the amount of \$ 21,594.17 to the 1001 (General fund), 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources).

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Jerome Bodiford, Finance Department x6431, submitted by LaShawn Gardiner, x6449

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: May 27, 2011

Anticipated Committee Meeting Date(s): June 15, 2011

Anticipated Full Council Date: June 20, 2011

Legislative Counsel's Signature: Chad A. Hall

Commissioner's Signature: _____

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SWISSPORT CARGO SERVICES, L.P. IN AN AMOUNT NOT TO EXCEED TWENTY ONE THOUSAND, FIVE HUNDRED NINETY FOUR DOLLARS AND SEVENTEEN CENTS (\$21,594.17) FOR BUSINESS LICENSE FEES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION ACCOUNT NUMBER 1001 (GENERAL FUND) 200301 (NDP UNALLOCATED-CITYWIDE EMPLOYEE EXPENSES) 5730012 (ACCOUNT REFUNDS) 154000 (FUNCTION ACTIVITY HUMAN RESOURCES); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any) \$21,594.17

Mayor's Staff Only

Received by CPO: _____

(date)

Received by LC from CPO: _____

(date)

Received by Mayor's Office: 5/27/11

(date)

Reviewed by: _____

(date)

Submitted to Council: _____

(date)